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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF ARIZONA

12 United States of America,
13 Plaintiffs,

14 vs.

15 David Allen Harbour,
16 Defendants.
17

CR-19-00898-PHX-DLR (DMF)

**MOTION TO EXTEND TIME TO
RESPOND TO DEFENDANT'S THREE
MOTIONS TO DISMISS IN FULL, IN
PART, AND TO SEVER**

18 The United States respectfully requests an extension of time to respond to
19 Defendant's three motions filed on September 9, 2022: Motion #1 to Dismiss or
20 Alternatively to Strike Surplusage from the Indictment (Document 444), Motion #2 to
21 Dismiss Counts 11-12 and Allegations in the Indictment Not Amounting to the Charges
22 Pursuant to 18 U.S.C. § 3282 (Document 445), and Motion #3 to Sever and for Relief from
23 Prejudicial Joinder (Document 446).

24 The United States' response to each of these three motions is due on September 23,
25 2022. Counsel for the United States are in separate trials over the next four weeks. For this
26 reason, in addition to the need to respond to three separate motions, the United States
27 respectfully requests that the Court extend the time to respond to all three motions by two
28 weeks, to October 7, 2022. Defendant does not object.

1 Respectfully submitted this 9th day of September, 2022.

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3 GARY M. RESTAINO
4 United States Attorney
5 District of Arizona

6 *s/Kevin M. Rapp*
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CERTIFICATE OF SERVICE

I hereby certify that on this same date, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing a copy to the following CM/ECF registrant:

Stephen M Dichter, *Attorney for Defendant*

s/Daniel Parke
U.S. Attorney's Office